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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT 2013 OCT 23 AM 10:39 NA

<p><u>Corey Jawan Robinson #294233</u> <small>[Enter the full name of the plaintiff in this action]</small></p> <p>v. <u>Dr. Thomas E. Byrne</u></p> <p><small>Enter above the full name of defendant(s) in this action</small></p>	<p>Civil Action No. _____ <small>(to be assigned by Clerk)</small></p> <p>COMPLAINT State Prisoner</p>
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I. PREVIOUS LAWSUITS

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise related to your imprisonment? Yes No
- B. If your answer to A is Yes, describe the lawsuit in the space below. If there is more than one lawsuit, describe the additional lawsuits on another piece of paper using the same outline.
1. Parties to this previous lawsuit:
 Plaintiff: _____
 Defendant(s): _____
 2. Court: _____
(If federal court, name the district; if state court, name the county)
 3. Docket Number: _____
 4. Name(s) of Judge(s) to whom case was assigned: _____
 5. Disposition: _____
(For example, was the case dismissed? Appealed? Pending?)
 6. Approximate date of filing lawsuit: _____
 7. Approximate date of disposition: _____

Attachment 1. Previous Lawsuit

Corey Jawan Robinson #294233
MD George Amonittif et al
United States District of South Carolina
CA No. 5:13-cv-00504-JMC-KDW
Kaymani D. West
Pending
Around March 18, 2013
N/A

Corey Jawan Robinson #294233
Sgt. (SMV A-1 Shift) Marquart
United States District of South Carolina
CA No. 5:13-1899-JMC-KDW
Kaymani D. West
Pending
Around July 26, 2013
N/A

Corey Jawan Robinson #294233
Off. Jerome Middleton; et al
United States District of South Carolina
CA No. 5:13-2389-JMC-KDW
Kaymani D. West
Pending
Around October 10, 2013

II. PLACE OF PRESENT CONFINEMENT

- A. Name of Prison/Jail/Institution: Lieber Correctional Institution
- B. What are the issues that you are attempting to litigate in the above-captioned case? Deliberate Indifference, 8th and 14th Amendment, Conspiracy, Gross Negligence, Medical Malpractice
- C. (1) Is there a prisoner grievance procedure in this institution? Yes No _____
- (2) Did you file a grievance concerning the claims you are raising in this matter? Yes No _____
- When 2/26/13 & 9/16/2011 Grievance Number (if available) LCZ 0348-13 & LCZ 1301-11
- D. Have you received a final agency/departmental/institutional answer or determination concerning this matter (i.e., your grievance)? Yes No _____
- E. When was the final agency/departmental/institutional answer or determination received by you? 3/06/22 & 6/6/13
- If possible, please attach a copy of your grievance and a copy of the highest level decision concerning your grievance that you have received.
- F. If there is no prison grievance procedures in this institution, did you complain to prison, jail, or institutional authorities? Yes No _____
- G. If your answer is YES:
1. What steps did you take? Request to Staff Member
 2. What was the result? No Justice

III. PARTIES

In Item A below, place your name, inmate number, and address in the space provided. Do the same for additional plaintiffs, if any.

- A. Name of Plaintiff: Corey Jawan Robinson Inmate No.: 294233
 Address: P.O. Box 205, Ridgeville SC 29472

In Item B below, place the full name of the defendant, his official position, and place of employment in the space provided. Use Item C for additional defendants, if any.

- B. Name of Defendant: Dr. Thomas E. Byrne Position: Doctor
 Place of Employment: Lieber Corr. Inst.

- C. Additional Defendants (provide the same information for each defendant as listed in Item B above):
- _____

IV. STATEMENT OF CLAIM

State here, as briefly as possible, the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach an extra sheet if necessary.

The Defendant Dr. Thomas E. Byrne is responsible for my Federal and State Constitutional rights violation of (1) Deliberate Indifference (2) 8th Amendment (3) 14th Amendment (4) Conspiracy (5) Gross Negligence (6) Medical Malpractice, I the plaintiff filed this grievance on 9/12/2013 after getting the response to my request form on 7-28-2013 that was received by medical stamped 8-29-2013 on defendant. I returned from my neurologist appointment 7-28-2013 and found out that the medication of prednisone that I was taking, I was not to be on it for so long, and it was an delay in appointment to get me back to him since my last appointment in 2010 around that year which on 8-28-2013 I was told by the neurologist that he requested for SDOC and Lieber Corr. Inst. to refer me to a lung doctor and sarcoidosis doctor that was back in 2010 I did not have knowledge of this until now and now I know why I been feeling all that shakiness, heart racing and feel very thin of being cold, and being sick because of that prednisone medication I was being treated with for almost 4 years which could of kill me and it was an delay in years of getting me back to neurologist about the medication. I need you and this court to refer me to an sarcoidosis doctor and lung doctor like the neurologist recommended 8-28-2013 and back in 2010 to treat my disease because as of right now I am not receiving any thing for my sarcoidosis nor glaucoma and the doctor fails to see me for my stomach injury. Further I have

IV. STATEMENT OF CLAIM - continued.

exhausted all my administrative remedies as to defendant and the claims listed. I sent a request to staff per policy to Medical Doctor on the date 8-28-2013, it was stamp and received 8-29-2013 on the back of my request form it was stamped received September 12, 2013 when it was returned back to me. I than filed my grievance within 5 days 9/12/2013 and it was date received on grievance 9/17/2013, I also attached my request to staff along with my grievance and on 9/17/2013 the IGC denied me my right to the grievance system by returned my grievance back to me unprocessed and informed me I could refile in by 9/24/2013 and I did and there is no record of it because the IGC told me which violated my rights anyhow because I followed the grievance procedure the first time as required see step 1 unprocessed grievance No. LCI 1360-13 and see Exhibit 5B request to staff Member which was stamped filed 8/29/2013 I cannot read the response clearly but this is the request to staff I submitted with my grievance. I need to be placed on some type of energy drink, vitamins or something also some type of pills to help me breath better which I feel difficultly breathing. All my disease is going untreated at the time, I have been vomiting up and my stomach is weak with fight pain, I have fell weak in many days for the last past months all this is in my medical record for the court to review Exhibit 6A it is in partial the rest will come through discovery.

IV. Statement of Claim (Continue)

I am the plaintiff in this case, I am suffering from 3 main diagnosis, one cover 2 diagnosis which is sarcoidosis, I have this in my lung and brain supposedly where I have been seeing a brain doctor and lung doctor by SCOC medical providers to treat me whiles incarcerated, SCOC medical providers listed as defendants fails to refer me to a sarcoidosis doctor which my disease is going untreated at this moment. I also suffer from a disease call glaucoma that I have been diagnosed with and at this moment this disease is going untreated, which can cause me future health problem or and may kill me faster if the disease is not treated so it can be controlled. I also have a stomach injury that cause me suffering in pain, and decrease in food and or weight loss and unnecessary vomiting and can not digest certain food.

I recently had an appointment with the Neurologist on 8-28-2013 further discovery can show recommendation, I was informed by him that it was a good thing that I discontinue to take the prednisone, prednisone is not a medication that you are suppose to take for a long period of time, which he said that, that may have been the reasons I was feeling very ill. Prednisone cause effects to the bone, it can cause heart attacks, if thin the blood also see Exhibit of Medical Record in partial of this time. which reflects 4/13/2013 in plaintiff medical record I made complaint of heart beating too fast. 4/10/2013 in plaintiff medical record I made complaint of blood in stool, in on 4/18/2013 and 4/19/2013, plaintiff I fell weak from stomach and defecated on myself and had feces on me and was not properly assessed by medical in my medical record. The date 4/4/2013 shows the neurology and ophthalmology appointments that I was waiting on and had 8-28-2013 4 months later and not ophthalmology is still being pending. In medical record I had weight loss from 152.8 on 3/14/2013 and on 3/19/2013 was at a

IV. Statement of Claim (continued)

139 pounds in my medical record. 3/5/2013 shows the consult for appointment by defendant E. Holcomb. On 2/22/2013 officer Horton reports seeing me fall to mattress making complaint of feeling heavy and Blood feel thin see plaintiff Medical Record on 8-28-2013 neurologist told me all this could of come from the years of being on prednisone. I was not to take it for that long. 1/20/2013 in medical record complaints of vomiting and stomach injury, a conspiracy in weight it reflect 163 pounds but nurse Dehart report scale read 124 and 122 so they did not know my correct weight and was not concerned about getting it.

See Exhibit 1A SCNC Health Services: Medical Summary on 6/14/2011 that ophthalmologist Dr. Pakalancis diagnosed me with Glaucoma in right eye and I was prescribed travatan. In this same Exhibit 1A it states inmate refused to sign a refusal but continues to refuse multivitam, prednisone, and eye gtt's 10/19/2011 before this they said I flush eye drop down toilet 10/2/2011, this do not make sense why would I refuse something then refuse to sign so meds can be d/c especially something as that important to my health and glaucoma diagnosis, which proves contradiction because in this same Exhibit 1A 10/14/2011 the same Nurse Brandt and defendant E. Holcomb signed off 10/1/2011 and 10/2/2011 and it states I did ~~not~~ refused to sign a refusal, but I refused to sign it saying it was the other BTL, I did not want. So somehow E. Holcomb got it mixed up the only medication I flushed down the toilet was the prednisone. I never refused my eye drop for glaucoma, multivitamin or antibiotic, which stated Exhibit 1A on 10/19/11; 10/1/11 and 9/30/11,

IV. Statement of Claim (continue)

9/28/2011. 10/1/2011 they stated it was no other BTL and there was prednisone that I refused, if you look at the exhibit the defendant interfer with prescribed medication for an serious diagnosis for my health, the defendants intentionally discancel all the medication that was very important to my health but kept treating with the prednisone that was a threat to my health and caused other health problem because in my Exhibit 1A on 10/19/2011 E. Holcomb discontinued meds, so if meds was discontinued why would I still be giving prednisone but not the rest of meds. see defendant Exhibit 1 Medical Record they submitted in their respond to my Motion for Immediate outside treatment, in that medical record it show I still was being treated with the meds of prednisone up to 2013 after it was to be discontinued, which shows conspiracy to cause harm.

4) I never signed no refusal for eye drops, antibiotic or multi-vitamin, I need all these medications, antibiotic prevents all type of infection such as the one I was complaining about I was having in stomach, eyedrops prevent more pressure in right eye of glaucoma which since than from 2011 to 6/30/2013 my right eye sight is 20/40 when it use to be 20/20 or better but it has dropped from not being treated and delay to ophthalmology in 2 years and some months. see defendant Exhibit 1 Medical Record 0004 that date 6/20/2013. Which I am suffering of loss of sight and burryness of right eye that going untreated. Multi-vitamin is there are geritol complete, they contain every vitamin and mineral established as essential in human nutrition, so why would I refuse these three medication, it was the prednisone I wanted discontinue because of the health problems it may cause but I was told to keep use after it was supposedly discontinue, which shows contradiction and conspiracy to deny, delay and interfer with prescribed treatment.

5) The record is rife with evidence that shows conspiracy, denial and intentionally interfering with prescribed medication see Exhibit 1 plaintiff never refused antibiotic of Tetracycline but did refuse Myocin because he did not know what it was see Exhibit 1B which plaintiff I stated I never went to sick call, Scott to d/c this med. I was prescribed

IV. Statement of Claim (Continue)

Tetracycline antibiotic, never known of a Myocin, I never refused my Tetracycline, which see Exhibit 2A Physician's Transfer Note or Consultation, under this Exhibit 2A Medication is, pertinent diagnostic findings the medication I was prescribed was Xalatan eye drops, Tetracycline, Prednisone and multi-vitamin, the medication Myocin is not mentioned I never tooked it and refused it see Exhibit 1B Refusal of Medical Advice form. see Exhibit 1B! see Exhibit 2B Division of Health services I did not sign to refuse my glaucoma eye drops, Thera-m and or Prednisone by defendant Amonitt, I did not sign because they was trying to make me refuse everything, I only wanted to refuse my prednisone, not my tetracycline and multi-Vitamin and eye drops. Which see Exhibit 3A Request to Staff Member in this request form I asked them to please d/c meaning discancel my prednisone medication, I never once wrote to have my other medication d/c. which see Exhibit 1B Refusal of Medical Advice Form, they said I was unable to sign, it no reason why I was unable to sign for Latanoprost eyedrops even thou I was suppose to be receiving Xalatan eye drops see Exhibit 2A. The only medication I ever signed a refusal for is Prednisone see Exhibit 1B Refusal of Medical Advice Form. Therefore the medication defendants said I refused to sign or was unable to sign the medication should of still be issue to me until further notice from the outside specialist doctor to see if the medication needed discancel. Like see Exhibit 1B reflects as evidence the eye drops was never refused to sign, but stated unable to sign, which show conspiracy to interfer with treatment, it does not give no reason why I was unable to sign. which is inconsistence with Exhibit 1A SCDC Health services: Medical Summary on 10/11/2011 it states inmate refused, than said inmate was presented with a refusal form but saying it was other BTL he did not want, further stated inmate did not get out of bed and refused the medication. Refusal documented. How was I unable to sign if I was presented with a refusal this is contradiction and not reliable to prove I refused, why not just say refusal to sign, why put unable to sign, it is a big different unable to sign means the person is not present at the time and somehow just can not sign and refusal to sign

IV. Statement of Claim (continue)

me the person there but just do not want to sign for it. see Exhibit 1A which states I was presented with refusal form, but Exhibit 1B see Exhibit 1B says unable to sign this is contradiction, how can I tell you it was the other BTC but I was unable to sign it does not make sense. I am not just saying what I think I am giving exhibit of defendants on documents of evidence, it is undisputed facts.

The Defendants has conspired to deny me access to the court, which is a form of retaliation, and harassment, the defendant is denying me access to the grievance system and access to the courts all in violation of my constitutional rights, the defendants has exercised the duty of care in a grossly negligent manner see step 1 and 2 grievances No. LCI-0348-13 as evidence, plaintiff filed this grievance on Doctor and E. Holcomb alleging the delay in getting him treatment and getting him back to the ophthalmology and neurologist that could of worsen since he had an head injury, both of these diagnosis that could of worsen since he had an head injury, both of these diagnosis as of now is being untreated which could cause future health problems that constitutes plaintiff Federal and state rights. plaintiff alleges how defendants have violated policy and procedure of the grievance system stating how he also filed many grievances on delay on treatment to the brain doctor, eye doctor to get CAT scan, no feet x-ray and none of his grievances has not been responded to and 40 days is over due, he have received many request to staff, and none of his grievance has not been responded to and 40 days is over due, he have received many request to staff and would submit to court as exhibits. It is very important to note these diagnosis is being and going untreated at this time, see plaintiff Medical Record, defendant submitted to the court under seal

IV. Statement of Claim (continue)

to plaintiff motion for immediate outside treatment. Also see Affidavit Laura J. Rehart and Linda E. Jones on their behalf and exhibits of Request to staff member, plaintiff submitted to the Court in his Motion for an order granting immediate outside treatment.

plaintiff also filed grievances for his stomach injury see [REDACTED] exhibits in Complaint plaintiff alleges "I am also suffering from an stomach injury, which I got a hole and not getting proper food in stomach, no x-ray on stomach and may need surgery in extremely pain, spitting up blood, filed grievances no response but only to request forms complaining for months and still no treatment which is being denied. see plaintiff Medical Record and [REDACTED]. The following above was under the old policy, when plaintiff filed his grievances in the month of Feb, 2013 no response only to request to Staff Member and Step 1 and 2 grievance LCI-0348-13.

see Step 1 unprocessed grievance No. LCI-0925-13, plaintiff filed this grievance on defendant E. Holcomb about his stomach injury, a change occurred in policy in the month of May 2013, which policy of the grievance was violated in accordance to their own changed, policy stated inmate must file a request to staff member and after getting a respond attach it to grievance, if no respond, inmate are to wait 20 days than file a 2nd request to staff to the same person with additional to grievance coordinator after receiving respond attach to grievance within 5 days, and plaintiff followed the policy and grievance was still unprocessed, see step 1 unprocessed grievance No. LCI-0925-13 under Specific hour and when informal resolution was attempted by grievant plaintiff alleges I filed a request to staff member to sick call E. Holcomb on May 29, 2013, Nurse B. Fields, nor Nurse L. Rehart have not seen me for sick call, I am being completely denied medical treatment for my stomach issue and 20 days is due since I filed my request May 29, 2011 (error meaning 2013) I wrote IGC on June 18, 2013 and she is conspiracy

IV. Statement of Claim (Continues)

To help the defendant because she said she received it June 17, 2012 impossible when stamp says received June 18, 2013 and ofc. Brown signed it was returned to me June 21, 2013, I am filing my grievance within 5 days of the date ofc. Brown signed IGC response and still no answer from sick call Holcomb. see Exhibit 5A Request to staff Member that was sent attached to grievance per change of policy date 6/18/2013 and per policy ofc. Brown sign date received by me 6/21/13 and I attached and filed grievance within 5 days per policy and it still was unprocessed. Which another change to policy was made July 11, 2013 saying now you have to wait 45 days after you file your first request form to file a second if no respond to first request form, but this change do not apply to me because my grievance and attached request form was filed 6/21/2013. Which policy and procedure 6A-01.12 "Inmate Grievance System was violated. I has exhausted all administrative remedies by following policy and grievance still unprocessed. The reason why it may had got mixed up because IGC placed the name inmate Small's instead of inmate Robinson see Exhibits. The claim of claims dealing with plaintiff (Z) treatment for glaucoma, sarcoidosis and stomach, delay in treatment to eye doctor, Neurologist, sarcoidosis doctor and stomach doctor has been exhausted.

V. RELIEF

State briefly and exactly what you want the court to do for you.

- 1) defendant sued in individual capacity
- 2) Plaintiff be rewarded the sum of 100,000.00 money damages of compensated relief
- 3) Plaintiff be rewarded additional 100,000.00 punitive damages
- 4) Exercise supplemental jurisdiction over State claim
- 5) Injunction Relief plaintiff to receive treatment of medication to treat all 3 diagnosis, issued ensure for stomach injury and see an stomach specialist
- 6) Declaratory Relief the same stated in injunction relief to give an order seeking proper treatment.
- 7) Non-Jury Trial

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 21 day of October, 20 13



Signature of Plaintiff